

## SENATE BILL No. 186

---

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-10.2-2-1.

**Synopsis:** Local unit retirement and disability systems. Authorizes a political subdivision that is not a participant in the public employees' retirement fund (PERF) to provide, independently of PERF, retirement, disability, and survivor benefits for its employees.

**Effective:** July 1, 2002.

---

---

### Waterman

---

---

January 7, 2002, read first time and referred to Committee on Pensions and Labor.

---

---

C  
o  
p  
y



Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## SENATE BILL No. 186

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 5-10.2-2-1, AS AMENDED BY P.L.119-2000,  
2       SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2002]: Sec. 1. Scope; Purpose. (a) This article applies to the  
4       Indiana state teachers' retirement fund and the public employees'  
5       retirement fund. Each retirement fund covered by this article is a  
6       separate retirement fund managed by its board under its retirement  
7       fund law. Each board shall make and publish regulations which are  
8       appropriate to the efficient administration of this article. The  
9       obligations of the state and political subdivisions for benefit payments  
10      are specified in each retirement fund law.

11      (b) Each fund is an independent body corporate and politic. A fund  
12      is not a department or agency of the state but is an independent  
13      instrumentality exercising essential government functions.

14      (c) For purposes of IC 34-13-2, IC 34-13-3, and IC 34-13-4, each  
15      board, each fund, and all employees of each board or fund are public  
16      employees (as defined in IC 34-6-2-38). All employees of each board  
17      or fund employed within a classification covered by a labor agreement

2002

IN 186—LS 6305/DI 102+



C  
o  
p  
y

1 to which the state is a party shall continue to remain subject to the  
2 terms and conditions of that agreement and any successor labor  
3 agreements entered into by the state.

4 (d) The benefits specified in this article and the benefits from the  
5 Social Security Act provide the retirement, disability, and survivor  
6 benefits for public employees and teachers. However, this article does  
7 not prohibit a political subdivision from establishing and providing  
8 ~~before January 1, 1995, and continuing to provide after January 1,~~  
9 ~~1995,~~ retirement, disability, and survivor benefits for the public  
10 employees of the political subdivision independent of this article if the  
11 political subdivision ~~took action before January 1, 1995, and was~~ is not  
12 a participant in the public employees' retirement fund. ~~on January 1,~~  
13 ~~1995, under this article or IC 5-10.3.~~

C  
o  
p  
y

